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UTILITY CONTINUATION PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

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Attorney Docket No.: 4147-23-1

Inventors: Ian C. Bathurst, of 3662 West Road, Lafayette, California 94549
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Express Mail Label No.: EL822583509US

Title: "AQUEOUS ANTI-APOPTOTIC COMPOSITIONS"

Group Art Unit: 1651

Examiner: Flood

Assistant Commissioner for Patents

Box Patent Application

Washington, DC 20231

This is a Continuation application of pending prior application No. 09/479,431 filed January 7, 2000. The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied, is considered to be part of the disclosure of the accompanying application and is hereby incorporated by reference.

Enclosed for filing with the above-identified utility patent application, please find the following:

1. Applicant claims small entity status. See 37 CFR 1.27.
2. Copy of Oath/Declaration from the above-referenced pending prior application (37 CFR 1.63(d))
3. Assignment Papers (cover sheet & document(s))
4. Nonpublication Request under 35 U.S.C. 122(b)(2)(B)(i).
5. 37 CFR 3.73(b) Statement (when there is an assignee)
6. Power of Attorney
7. Information Disclosure Statement (IDS/PTO-1449)
8. Copies of IDS Citations (Number of References:)
9. Preliminary Amendment
10. Return Postcard (MPEP 503) (should be specifically itemized)
11. Other: Applicants submit herewith a paper copy of the Application Sequence Listing. Applicants assert pursuant to 37 CFR § 1.821(e) that the enclosed paper copy of the complete Sequence Listing filed as part of this application is identical to the paper and computer readable forms of SEQ ID NOS:1 -13 filed on May 17, 2001 in the parent application of this application, U.S. Serial No. 09/479,431.

FEE CALCULATION:

	(COL. 1) NO. FILED	(COL. 2*) NO. EXTRA	SMALL ENTITY		RATE	FEE	LARGE ENTITY	
			RATE	FEE			RATE	FEE
BASIC FEE:				\$370.00	OR			\$740.00
TOTAL CLAIMS:	13	-	20	0	X \$9 =	\$0.00	OR	X \$18 =
INDEP. CLAIMS:	2	-	3	0	X \$42 =	\$0.00	OR	X \$84 =
MULTIPLE DEPENDENT CLAIMS				+ \$140 =		\$0.00	OR	+\$280 =
*IF THE DIFFERENCE IN COL. 2 IS LESS THAN ZERO, ENTER "0" IN COL. 2.				TOTAL:		\$370.00		

OTHER INFORMATION:

1. **FILING FEE IS NOT ENCLOSED AT THIS TIME.**
2. The Commissioner is hereby authorized to charge all required fees for extensions of time under §1.17 to Deposit Account No. 19-1970.
3. Foreign Priority benefits are claimed under 35 USC §119 of Patent Application Serial No. filed
4. The Small Entity Statement was filed in the above-referenced prior application. Small Entity status is still proper and desired.
5. The Power of Attorney appears in the original papers of the prior pending application.
6. The prior application is assigned to Sky High, LLC.
7. This application is being filed by less than all of the inventors named in the pending prior application. The Commissioner is requested to delete the name(s) of the following person(s) from the prior application who are not inventors being claimed in the application: .
8. Please amend the specification by inserting the following after the title and before the Field of Invention:

-- CROSS REFERENCE TO RELATED APPLICATION

The present application is a continuation of U.S. Patent Application Serial No. 09/479,431, filed January 7, 2000, entitled "AQUEOUS ANTI-APOPTOTIC COMPOSITIONS", which is incorporated herein by this reference. --

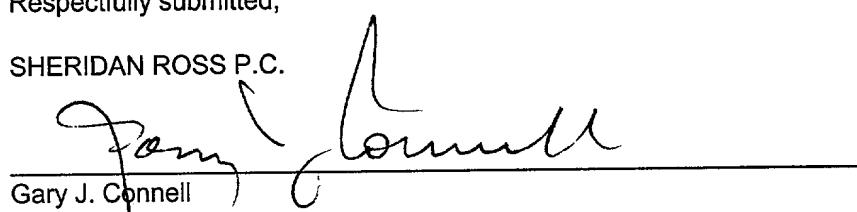
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Respectfully submitted,

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Gary J. Connell
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Date: 4 January 2002